

REMARKS

Upon entry of the amendments, claims 1-7, 10-16, 19-22 and 43-46 will be pending in the application.

Applicant requests reconsideration of the Office Action based upon the following comments.

Claim Amendments

Claim 19 has been amended so that it doesn't depend from canceled claims. Claims 23-42 have been canceled because they are drawn to non-elected subject matter.

Claim Objection

Applicants have amended claim 19 as requested by the Examiner and request withdrawal of the objection.

Claim Rejections – 35 U.S.C. § 102

Claims 1-7, 10-16 and 19-22, and 43-46 are rejected as anticipated by Tylec (US 5,452,027).

Applicant respectfully traverses this rejection. Applicant believes that the following feature of independent claim 1 is not disclosed by Tylec:

“a marking formed on a surface entirely or partially outside an effective area of said lens to distinguish between a surface and a back of said lens”.

Page 21 of the specification details that an “effective area” of the lens is for transmitting light (for example, light that is produced by a laser). Hence, Applicants dispute that the occluders (20a) of Tylec would read upon this claimed feature. The occluders of Tylec do not appear to be entirely or partially outside an effective area of the lens (which would include the whole lens because the Tylec patent pertains to an eyeglass lens, i.e. every portion of an eyeglass lens should be considered).

Further, Tylec does not disclose that the lens is a coupling lens as set forth in claim 2. Applicants submit that dependent claims 2-7 are allowable because of their dependency on claim 1. Applicants also note that the cited prior art fails to disclose the features of claim 5, which indicate the marking is formed outside the effective area of the lens.

Likewise, Tylec fails to disclose “entirely or partially forming a marking on a surface outside an effective area of said lens” as set forth in independent claim 10. Applicants assert that dependent claims 11-16 are allowable because they depend from the allowable subject matter set forth in claim 10. Further, claim 11 specifically recites that the lens is a “coupling lens,” which would not be considered by one skilled in the art to be an eyeglass lens, such as disclosed in Tylec. Further, claim 14 specifies that the marking is formed outside the effective area of the lens.

Regarding claim 19, Applicants respectfully submit that this claim should be allowable based upon its dependency. Claim 20, 21, and 22 should also be allowed based on their dependency and because the cited prior art patent fails to disclose the claimed “optical pick up device,” “optical communication component,” or “optical sensor.”

Regarding claims 43-46, Applicants assert that these claims are allowable based upon their dependency. Applicants also note that the Office Action does not set forth sufficient reasoning why the features in these claims are anticipated. For example, claim 46 specifies a lens that is 2 millimeters or smaller. The cited patent refers to an eyeglass lens, which would not have a lens that is 2 millimeters or smaller.

CONCLUSION

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with the filing of this response, please charge the fees to Deposit Account No. 02-4300. Any overpayment can be credited to Deposit Account No. 02-4300.

Respectfully submitted,

Date: August 6, 2004

Signature: _____

Brandon Boss, Reg. No. 46,567*
Smith, Gambrell & Russell, L.L.P.
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 263-4300

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* Practice is limited to matters and proceeding before federal courts and agencies.